

**FROMMER LAWRENCE & HAUG LLP**

745 Fifth Avenue  
New York, New York 10151  
Telephone: (212) 588-0800  
Facsimile: (212) 588-0500  
E-mail: Firm@flhlaw.com

**FACSIMILE COVER LETTER**

**To:** Examiner Sow-Fun Hon  
**Firm:** United States Patent and Trademark Office  
Art Unit 1772  
**Facsimile:** (703) 872-9306  
**From:** William S. Frommer  
**Date:** June 30, 2005  
**Re:** RCE  
U.S. Patent Appln. Serial No. 09/744,113  
for "METHOD FOR PROVIDING A SUBSTRATE STRUCTURE  
FOR ORIENTED NEURITE OUTGROWTH, SUBSTRATE  
STRUCTURE, AND DEVICE FOR MONITORING NEURONS"  
Applicant: NELLES et al.  
FLH Ref. No.: 450117-03033

**Number of Pages:** 16  
(including cover page)

**RECEIVED**  
**CENTRAL FAX CENTER**  
JUN 30 2005

---

If you do not receive all pages or are unable to read the transmission, please call and ask for Howard Cutler @ ext. 2006.

---

Dear Examiner Hon:

Attached please find:

1. REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL
2. PRELIMINARY AMENDMENT FOR RCE

**RECEIVED**  
**OIPE/IAP**

JUL 05 2005

---

**CONFIDENTIALITY NOTICE**

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00293884

JUN 30 2005

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/744,113
	Filing Date	March 19, 2001
	First Named Inventor	Gabriele NELLES
	Group Art Unit	1772
	Examiner Name	Sow Fun Hon
	Attorney Docket Number	450117-03033

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other
3. **Fees** The RCE fee under 37 CFR 1.17(c) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.
- b. ☐ Check in the amount of \$790.00 is enclosed for the following:
- i. ☐ RCE fee required under 37 CFR 1.17(c)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) This is a Petition for a \_\_-month extension of time. A check for \$\_\_ is enclosed.
- iii. ☐ Other
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>William S. Frommer</i>	Date	June 30, 2005
Name (Print/Type)	William S. Frommer	Registration No.	25,506

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	Howard H. Cutler
Signature	<i>Howard H. Cutler</i>
Date:	June 30, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.1 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the complete provisional application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0100 and select option 2

00293881

07/05/2005 HWDG61-0000037-500320-09744113  
790-00-BA  
01 FC:1801